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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/966,519	09/28/2001	David A. Wyatt	42390P10978	4756

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EXAMINER

WU, XIAO MIN

ART UNIT PAPER NUMBER

2674

DATE MAILED: 02/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/966,519

Applicant(s)

WYATT, DAVID A.

Examiner

XIAO M. WU

Art Unit

2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Khederzadeh et al. (US Patent No. 5,926,166).

As to claims 1, 7, 16, 20-22, 28, Khederzadeh discloses an apparatus comprising: a processor (32, Fig. 1) to respond to an even-driven action (20, Fig. 1); and a driver (34, Fig. 1) coupled to the processor (32) to perform a program function when an indication of the even-driven action is received from the processor, the driver (34) to control a response to the event-driven action external to management mode of the processor. For example, as shown in Figs. 1 and 2, Khederzadeh discloses that while the computer operating system is active (i.e. running), an interrupt is generated in response to a user pressing the predetermined keyboard “hot key”. In response to each depression of the “hot key”, video display selection sequences, or toggles, through the following: displaying on LCD panel, displaying on CRT display 26, and simultaneously display on both LCD panel and CRT display 26. That is, the user may wish to perform the video display switching without having to re-enter a graphic type operating system (OS), such as Windows or OS/2 operating systems (see col. 1, lines 17-23; col. 2, line 62 to col. 3, line 8)

As to claim 3, Khederzadeh discloses that the processor (32) responds to an event-driven action (e.g. hot key input) from an input/output device to perform a control action on a device (e.g. displays 24 and 26)

As to claim 4, Khederzadeh discloses that the display is controlled simultaneously by system firmware (14, Fig. 1) and soft ware device driver (12, Fig. 1).

As to claims 5, 30, Khederzadeh discloses a hot-key action to perform a control action on display altering it's current state or setting (col. 2, line 62 to col. 3, line 8).

As to claims 8, 9, 27, Khederzadeh discloses an interruption generation logic (e.g. SMI see col. 3, lines 9-21).

As to claims 10-12, 19, 23, Khederzadeh discloses that the control can be set and reset when it is completed (see Fig. 2). It is inherent to use a flag to set or reset a control device.

As to claims 13, 18, 24-26, 29, Khederzadeh discloses that the user can select different display settings (e.g. changing resolution).

As to claims 14, 15, 28, Khederzadeh further discloses a BIOS programming control. (30, Fig. 1).

Response to Arguments

3. Applicant's arguments with respect to claims 1-30 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Xiao Wu whose telephone number is (703) 305-4721.

Art Unit: 2674

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Patrick Edouard**, can be reached on (703) 308-6725.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:


(703) 872-9306

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377

xw

February 6, 2005


XIAO WU
PRIMARY EXAMINER
ART UNIT 2674